

REMARKS

In response to the final Official Action of December 20, 2004, claims 6 and 7 have been cancelled, claim 14 has been amended, claim 15 is presented in independent form, new independent claim 18 is presented to a mobile telephone for forming part of a system for communicating modifiable settings, new claims 19-22 are ultimately dependent on claim 18, independent claim 23 is presented to a method for communicating modifiable settings, and new claims 24-26 are dependent on claim 23. Support for the amendment to claim 14 is found in the originally filed application in Figure 1 and the description thereof at page 4, line 9 through page 5, line 18. Support for the new claims 18 and 23 is found in the original application at the same locations as recited above for amended claim 14. Dependent claims 19-22 and 24-26 are supported by the originally filed claims.

Referring to paragraph 1 of the Official Action, claim 7 was objected to as being in improper dependent form. Claim 7 has been cancelled and therefore the objection is mute.

At paragraphs 2 and 3 of the Official Action, claims 6 and 7 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 6 and 7 have been cancelled and therefore this rejection is mute.

Referring now to paragraphs 4-6 of the Official Action, it is respectfully submitted that amended claim 14 is not obvious under 35 U.S.C. §103(a) in view of US patent 6,032,089, Buckley, further in view of WO 98/19226, Riddiford. More particularly, claim 14 was rejected primarily upon the disclosure in Buckley which is directed to a vehicle instrument panel computer interface node. As shown in Figures 3 and 5 of Buckley and the corresponding disclosure including that at column 2, lines 1-3, column 3, lines 11-13, column 5, lines 36-44 and column 6, lines 41-47, it is seen that Buckley discloses the use of what is termed a palmtop computer and a multi-function “mode” switch on the vehicle’s instrument panel such that the palmtop computer is removably housed or “docked” in the instrument panel when the vehicle is driven and is removable when the vehicle is parked (see also column 1, lines 59-64). The palmtop computer 306 is coupled to a central instrument panel node (CIPN) 300 as shown in Figure 3 via a communication link such as an infrared wireless link 304. Figure 6 of Buckley shows the pull-down menus that are used to control the vehicular electrical system via palmtop computer 306. At column 6, lines 40-48, it is stated that

with regard to the vehicle system screen 616, that the screen offers an enhanced level of diagnostics and it is possible with this screen for the operator to store personal preference information in the palmtop computer which can then be downloaded to the vehicle when the palmtop computer is docked to the pod at the instrument panel. Such personal preference information is considered by the Examiner to represent modifiable settings as claimed in the present application which are transferred to the vehicle which the Examiner equates to the transfer to the "at least one device set forth in claim 14." However, it is clear in Buckley that it is the palmtop computer which has associated pull-down menus for receipt of information regarding personal preference information which is then used for transfer to the vehicle for some desired purpose. The palmtop computer in and of itself is not a mobile telephone and, in fact, Buckley shows in Figure 3 the existence of a cell phone interface 322 which forms part of the communication with node 300 which in turn also communicates with the palmtop computer 306. Thus, the cellular phone interface as described at column 5, lines 20-33 is an independent device which communicates with node 300 in addition to the palmtop computer. There is no suggestion in Buckley that the cellular telephone communicating via link 370 and interface 322 to node 300 in any way is used to convey personal preference information to the vehicle to which node 300 further communicates.

In summary, what Buckley shows is that a computer, such as a palmtop computer, can be interfaced to a vehicle so as to provide supplemental information to the user of the vehicle and which provides the ability for the user of the vehicle to download information into the vehicle via the palmtop computer.

Amended claim 14 specifically recites a system for communicating modifiable settings which comprises a mobile telephone and at least one device wherein the mobile telephone has a memory for storing telephone numbers and associated names and wherein at least some of the memory used for storing telephone numbers and associated names can store individual values that represent modifiable settings for use in the at least one device and associated function names to those modifiable settings. Furthermore, the mobile telephone has an interface for receipt of at least some of the individual values that represent modifiable settings and associated function names so as to transfer to the device - which also has a memory for storage of modifiable settings - the

individual values of the modifiable settings based upon the associated function names from the memory of the mobile telephone to the memory of the at least one device via said interface.

Thus, an important distinction between the present invention as set forth in amended claim 14 and that disclosed in Buckley is the use of a mobile telephone which has a memory for storing telephone numbers and associated names for the purpose of storing individual values that represent modifiable settings and associated function names in the same memory, to provide for user input of such information into the memory of the mobile telephone, as well as the ability for the mobile telephone via the associated interface, to transfer at least some of the individual values of the modifiable settings to the at least one device based upon the function names associated with the individual values. Thus, the means for transferring such individual values to the at least one device by use of a mobile telephone makes use of the memory of the telephone which is normally used for storing telephone numbers and associated names for also storing individual values that represent modifiable settings and the associated function names to which those modifiable settings pertain. In this regard, Buckley is completely silent and in fact, due to its disclosure of a separate interface for connecting a cellular telephone to the center instrument panel node (CIPN), it is clear that Buckley was in no way envisioning the use of a mobile telephone for conveying such modifiable settings to at least one other device.

In this regard, the Examiner states that Riddiford makes up for the deficiency in Buckley concerning a mobile telephone with telephone numbers stored in its memory. However Riddiford, including the passages recited at paragraph 6 of the final Official Action, merely shows that it is directed to a handheld computer with communications apparatus and, as set forth at page 4, lines 16-19, "...may be configured to enable the apparatus to be used as a mobile telephone with the appropriate actuation buttons or the like for this." There is absolutely no suggestion in Riddiford that a palmtop computer, which may incorporate a mobile telephone, would in any way be used in the vehicle instrument panel computer interface node described in Buckley wherein memory associated with the mobile telephone for storing telephone numbers and associated names is to be used for storing individual values that represent modifiable settings for use in at least one device with associated function names corresponding to those modifiable settings. Since Riddiford does not in any way suggest this aspect of the present invention, it cannot make up for the deficiencies in

Buckley. Consequently, it is respectfully submitted that claim 14 as amended is not suggested by Buckley in combination with Riddiford.

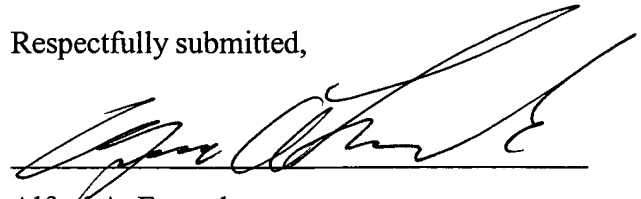
In view of the fact that amended claim 14 is believed to be distinguished over Buckley in view of Riddiford, it is respectfully submitted that the dependent claims thereto; namely, claims 3-5 and 16-17 are also neither disclosed nor suggested by Buckley further in view of Riddiford.

In addition, mobile telephone claim 18 and method claim 23 are similar to amended system claim 14 and are also believed to be distinguished over Buckley in view of Riddiford for the same reasons as presented above. Dependent claims 19-22 and 24-26 are distinguished over the cited art due to their dependency from allowable claims.

Referring now to paragraph 14 of the final Official Action, claim 15 has been rewritten in independent form so as to include all of the limitations of the base claim.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



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Dated: March 17, 2005

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